

Chapter 5

Implementing the Program



As the Washington State lead agency for the Forest Legacy Program, the Department of Natural Resources (DNR) elected to participate in the program under the State Grant Option in 1997. Under this option, the USDA Forest Service will provide Federal grants to the state to carry out the Forest Legacy Program, including the acquisition of lands and interest in lands. Grants must be consistent with federal uniform administrative requirements.

With direction established through the federal program guidelines and the state goals and objectives, the key to implementing the program lies in identifying appropriate parcels to include in the program.

DNR will seek proposals for inclusion in the program from willing landowners and stakeholders. Willing landowners will be asked to self-evaluate their property. Interested parties will be asked to submit a project nomination (see Appendix C). Parcels that show good potential for the Washington State Forest Legacy Program will be further reviewed and evaluated.

Industrial as well as small forestland owners are encouraged to participate in the program. Proposals will be evaluated to see if they meet the goals of the federal and state program and how they compare with other parcels that are proposed for the program.

Parcel evaluation and prioritization

The parcel evaluation and prioritization process provides the mechanism to mesh federal and state program goals and objectives, and to focus limited land acquisition funding where it can have the greatest effect to protect the most critical forest landscapes.

The process has two phases: screening and ranking. Together, they ensure that potential future land acquisitions support the primary goals and values of the Forest Legacy Program. Figure 5.1 diagrams the process.

A key tool in the parcel evaluation and prioritization process is the Forest Legacy Area—the geographical area in which the program can be applied. (Washington's Forest Legacy Area is also subdivided into priority levels A and B.) Also key is the parcel evaluation criteria, which provides a means of comparing one parcel to another. See details on these two key tools later in this chapter.

Screening

Screening identifies parcels that have been proposed but that do not qualify for the program because they do not support either the main purpose of the federal program or the focus and priorities of the state program. The screening is accomplished through a series of questions with "yes" or "no" answers. A "no" to any of the following questions disqualifies a parcel from being included in the Washington State Forest Legacy Program.

- 1. Is the parcel at least 75 percent forested?** The federal intent is to protect forestlands at risk of conversion. (The parcel is considered 75 percent forested if non-forest area such as rock outcrops, bare land not supporting native forest stands, human-caused disturbance, agricultural land, etc. does not exceed 25 percent of the current proposal. County roads and roads used for forest management are defined as forestland)
- 2. Is the parcel privately owned?** Private forestlands are those most threatened with conversion in Washington State.
- 3. Is the proposal within the Forest Legacy Area?** The federal guidelines require that a Forest Legacy Area be designated. To support the state program priority for protecting forest landscapes in transition, Washington's Forest Legacy Area is based on: the Watershed Administrative Units (WAUs) containing private forestlands that are not in the Urban Growth Area and that are the most threatened, based on population density data.

4. Is the parcel part of a recognized forest landscape conservation effort with an established plan to achieve sustainable benefits, based on goals that complement the Forest Legacy Program (conserve working forests, wildlife habitat, and water quality)?

Washington has chosen to focus its program on supporting comprehensive conservation efforts. Proposals must contribute to the protection of forest landscapes that are part of a recognized state, federal, grass roots, local or private planning effort or "initiative" in which long-term protection of forests is a critical component of the plan and which is actively supported by partners and stakeholders. (Mountains to Sound Greenway and the Cascades Foothills Initiative are two examples.)

Ranking

Proposals that clear the screening phase are evaluated and ranked by priority. The first step in ranking is to determine if a parcel is in the Priority A or the Priority B portion of the Forest Legacy Area Map (see Figure 5.1)

Priority A portions of the FLA are those forested landscape areas that contain less than one household per 40 acres. They are the top priority because the state places the greatest importance on protecting land base area that is most capable of sustaining working forest, habitat and water quality values for future generations in large, contiguous, undeveloped blocks.

Priority B portions of the FLA are those forested areas that contain one or more households per 40 acres, and are less likely to have land base in contiguous blocks large enough to sustain working forest, habitat, and water quality values when compared to Priority A parcels.

In the evaluation process, Priority A parcels are ranked separately from Priority B parcels, though the evaluation criteria are the same for both levels.

The evaluation criteria are based on critical goals and objectives and important values of the Forest Legacy Program. Evaluation results in a ranking of parcels, to ensure that the proposals selected for inclusion in the program are the best ones, and with A parcels ranked above Priority B parcels.

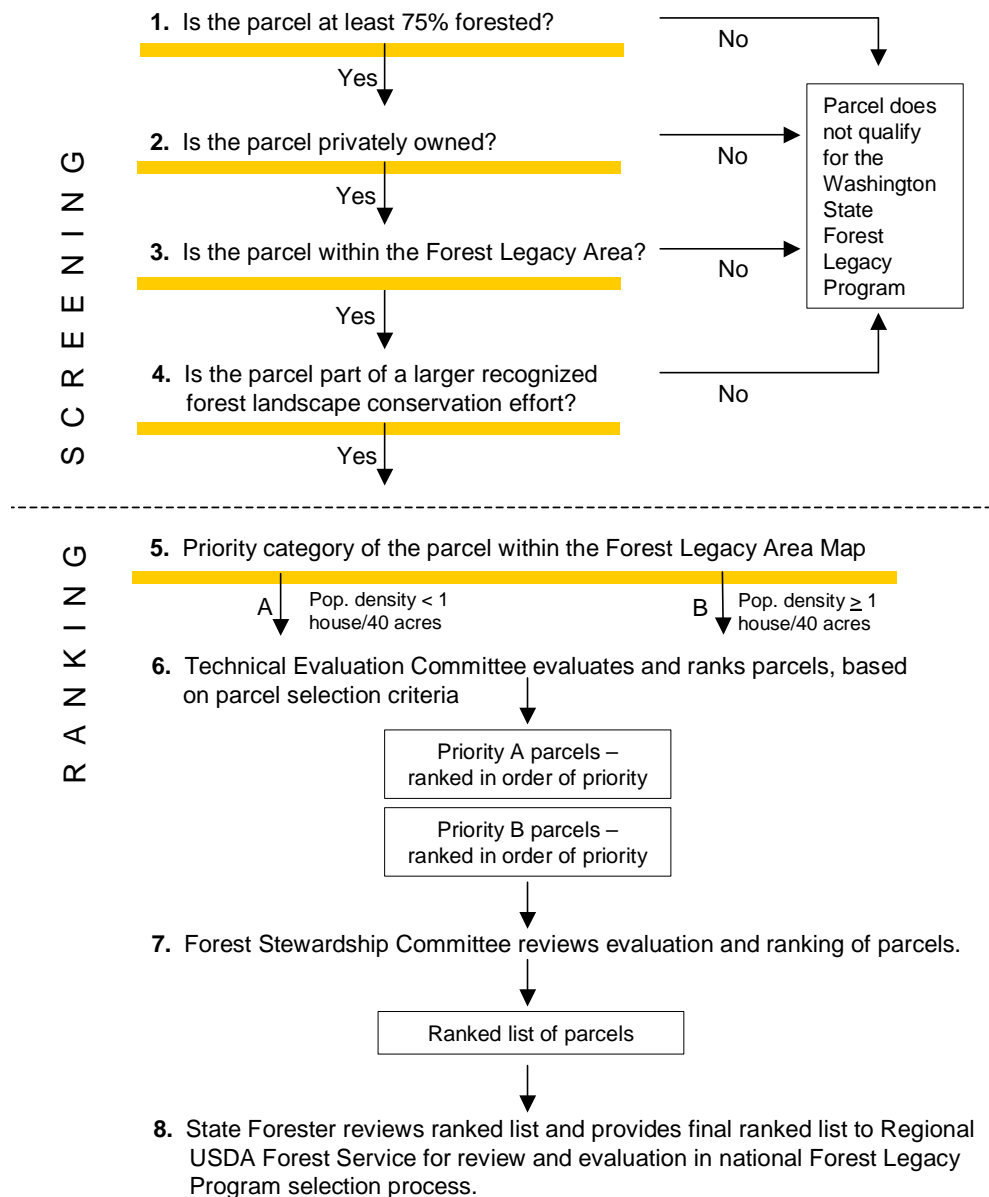
A Technical Evaluation Committee will be formed to evaluate and rank parcels, based on the parcel evaluation criteria. The committee will be made up of natural resource professionals chosen by DNR, and their specialties and expertise will reflect the major goals of the program. The Technical Evaluation Committee will recommend a ranked order of parcels to the Forest Stewardship Committee for further review. When evaluating benefits of proposals for the parcel ranking process, both

committees will have access to current resources and data such as County Growth Management information, eco-regional assessments done in cooperation with The Nature Conservancy and DNR, and state studies and reports.

The Forest Stewardship Committee will consider the evaluation and recommendations of the Technical Evaluation Committee and recommend a ranked list in order of priority to the State Forester. The State Forester is responsible for providing the final Washington State ranked priority list to the USDA Forest Service for consideration in the regional and national Forest Legacy Program selection process. (See page 5-11 for more on the state ranking process.)

Fig. 5.1 Parcel Evaluation and Prioritization Process

Parcels are evaluated through the steps below. Steps 1-4 screen out unqualified parcels, while steps 5-8 sort qualifying parcels into two categories and rank them. Qualifying for the state program does not guarantee inclusion in the program (funding).





Forest Legacy Area

The federal guidelines for the program require that each participating state program designate a Forest Legacy Area—the geographical area in which the program will be applied. Selection of the area can be tailored to help the program focus its efforts to most effectively support its goals. Washington's 2004 Forest Legacy Area reflects not only the program intent, but also the changes in the state since its original Forest Legacy Area was defined more than a decade ago.

Background

The Forest Legacy Area (FLA) identified in Washington's 1993 Assessment of Need (AON) included parts of five counties, with the bulk of the FLA in three: Snohomish, King and Pierce. Within these counties, the Urban Growth Area and Forest Resource Zone, as defined by the state's Growth Management Act (GMA) were excluded from the FLA, leaving only the Rural Residential Zone available for inclusion in the Forest Legacy Program. Forestlands in the Rural Residential Zone were considered the most threatened by development, and lands in the Forest Zone were considered lower priority because of the Growth Management protections in place.

The 1993 AON failed to recognize that lands designated in the Forest Zones are converting to non-forest use and that the GMA doesn't provide sufficient protection. Also, meaningful forest landscapes needing protection and providing the best economic and ecological benefits cross GMA lines.

During the first ten years of the program, almost all of Washington's Forest Legacy acquisitions have been on the interface of the Rural Residential Zone and in the Forest Zone. The Forest Legacy Program has protected approximately 13,000 acres of threatened forestlands, 93 percent of which were in the Forest Zone. Proposals that reached into the Forest Zone have all required boundary adjustments to be considered in the program. Since 1993, a total of seven boundary adjustments have been requested by DNR, on behalf of the state program, and approved by the USDA Forest Service.

Threatened forest landscapes cross growth management boundaries. Regardless of GMA designation, forestlands near high population densities are in transition to non-traditional uses. Inclusion of these lands in the Forest Legacy Area will greatly reduce the need for boundary adjustments in the future.

2004 Forest Legacy Area

Washington's new Forest Legacy Area places the highest priority for acquisition on areas that are zoned for long-term forestry but that are also threatened by development. Rural Residential lands are included, but are a secondary priority. It's critical to focus on areas zoned for long-term forestry in order to protect sustainable working forest landscapes for traditional forest uses. This concept is supported by local conservation efforts and initiatives targeting the forest transition zone. For example, Mountains to Sound Greenway Trust, Cascade Conservation Partnership, and Cascade Land Conservancy all support efforts of the Cascade Foothills Initiative to protect the forest transition zone in Cascade foothills. Threat of conversion and landscape/watershed conservation are the primary characteristics shaping the Forest Legacy Area

The Forest Stewardship Coordinating Committee, stakeholders, and the public asked the Department of Natural Resources to consider establishing a new Forest Legacy Area that included all areas of the state that should have access to this program, based on state and federal goals of the program. The process began by examining the entire state and through successive steps, using readily available data, focused on areas that have a high potential to have important forestlands that may be threatened by conversion to non-forest uses. This approach supports the federal program goals of protecting threatened private forestlands from development and providing protections in landscapes in lieu of ad hoc unconnected strategies.

The Forest Legacy Area maps the private forestland facing the greatest imminence of threat, based on the trends that threaten the conversion of forest landscapes to non-forest uses. The FLA map provides a statewide view of the most threatened lands and associated watershed boundaries. Tighter geographic focus is provided by the screening criterion that requires proposals be part of an existing forest landscape conservation effort. (E.g., the Mountains to Sound Greenway Conservation Corridor, Cascade Conservation Partnership, the Cascade Land Conservancy - Foothills Forest Initiative, and the Western Rivers Conservancy Hoh River Conservation effort.)

Mapping the Forest Legacy Area

The following explains the steps for defining and mapping the Washington State Forest Legacy Area (FLA). DNR created the map using Geographic Information System (GIS) data and software.

1. START with forestland with household densities equal to or greater than one household per 40 acres. Based on experience and observation, it is assumed that forestland is likely being converted from traditional forest uses to residential use when household densities are equal to or greater than one household per 40 acres. When mapped, this trend can be used as an indicator to locate the leading edge of forest transition lands. Identifying this edge supports Washington's Forest Legacy Program priority to protect forest landscapes that are in transition to other uses.

Greater density of human population on the land indicates the lands are subject to fragmentation and reduced viability for sustainable forest resource management. Forestlands in Step 1 are mostly located within the Rural Residential Zones, and although they are very threatened, they generally do not provide the landscape benefits needed for sustainable forest, wildlife, or water quality management. These are Priority B.

Household densities were interpolated, using 2000 Population Density data provided by the Washington State Office of Financial Management, and the 2000 Census. The 2000 US Census found that average household size in Washington State was 2.53 persons. Forest cover data is from DNR Forest Practices GIS.

2. ADD the Watershed Administrative Units (WAUs) that contain the lands identified in Step 1. While Step 1 identifies the outer edge of transitioning forestlands, it is critical to extend the FLA into the abutting WAUs to conserve viable landscapes. Protection of forest landscapes is a fundamental strategy supported by the program goals, objectives, focus and priorities. Watershed designations provide natural outlines for identification of potentially important landscapes for protection of water quality, habitat, and timber management. The Forest Legacy Area should include important watersheds to adequately achieve all of the ecological, economic, and social goals and objectives of the program.

Lands on the fringe of the forest transition zone are the highest priority for Forest Legacy Program acquisition in Washington State, in order to provide for the best multiple use forest management practices into the future. Lands in these WAUs that are not Priority B are designated Priority A.

WAU information was obtained from DNR.

3. SUBTRACT all lands that fall within the state's urban growth areas (as designated under the GMA). These lands have been identified by local jurisdictions to be either currently or projected to be urbanized, and are not likely to support sustainable forestland base. These lands were excluded from the 1993 AON as well as the current updated AON .

GMA information was obtained from county planning departments.

4. ADD forestlands known to be or expected to be in transition but which do not show up in steps 1 and 2. Depending on the boundaries of census tracts and WAUs, some forest landscapes may be in transition, but may not show up in steps 1 or 2. For example, a transition land may be adjacent to an area with more than 1 household per 40 acres, but be just over the ridgeline, in a different WAU. Inclusion in the FLA would not be triggered by Step 2, but local access and development patterns show it is in a transition area.

Lands added in this step may be entire WAUs or only portions thereof. The addition of these areas to the FLA is largely a judgment call, based on the experience and observation of DNR program staff, but in alignment with the intent of the program.

5. SUBTRACT forestlands known to be at little risk of conversion. Again, the census tracts and WAU boundaries may have identified some areas for the FLA that are actually at little risk of conversion. For example, the upper reaches of a particularly long WAU may be at little risk.

Lands subtracted in this step may be entire WAUs, but in almost every case are only portions thereof. The subtraction of these areas from the FLA is largely a judgment call, based on the experience and observation of DNR program staff, but in alignment with the intent of the program.

State and federal lands

Lands under state or federal ownership do not qualify for the program. However, land exchanges are a commonly used tool in Washington, and what is state land today, could easily be private land tomorrow. Leaving these lands in the FLA assures that the FLA boundaries are not based on ownership, and it allows for future changes in ownership of parcels that may in every other way be viable candidates for the program.

Even though state and federal lands are technically within the FLA, they are screened out in the first phase of the evaluation process.

Description of Forest Legacy Area

Based on forest cover data and 2000 census and population data as interpolated and mapped by DNR:

All forestlands lying outside the designated urban growth areas, but within Watershed Administrative Units (WAUs) that contain lands populated with at least one household unit per 40 acres, plus adjustments as identified on 2004 FLA List of WAUs. (See Appendix D.) (Note: State and Federal lands are included in the FLA, but are not eligible for the program.)

Priority areas are established in the FLA to focus acquisitions not on rural lands in transition, but on forestlands in transition. Acquisitions in Priority A areas will create a buffer against development, while acquisitions in Priority B areas will support a transition to those buffers.

Priority A -- Lands in the FLA mapped at less than one household per 40 acres.

Priority B – Lands in the FLA mapped at one or more households per 40 acres.

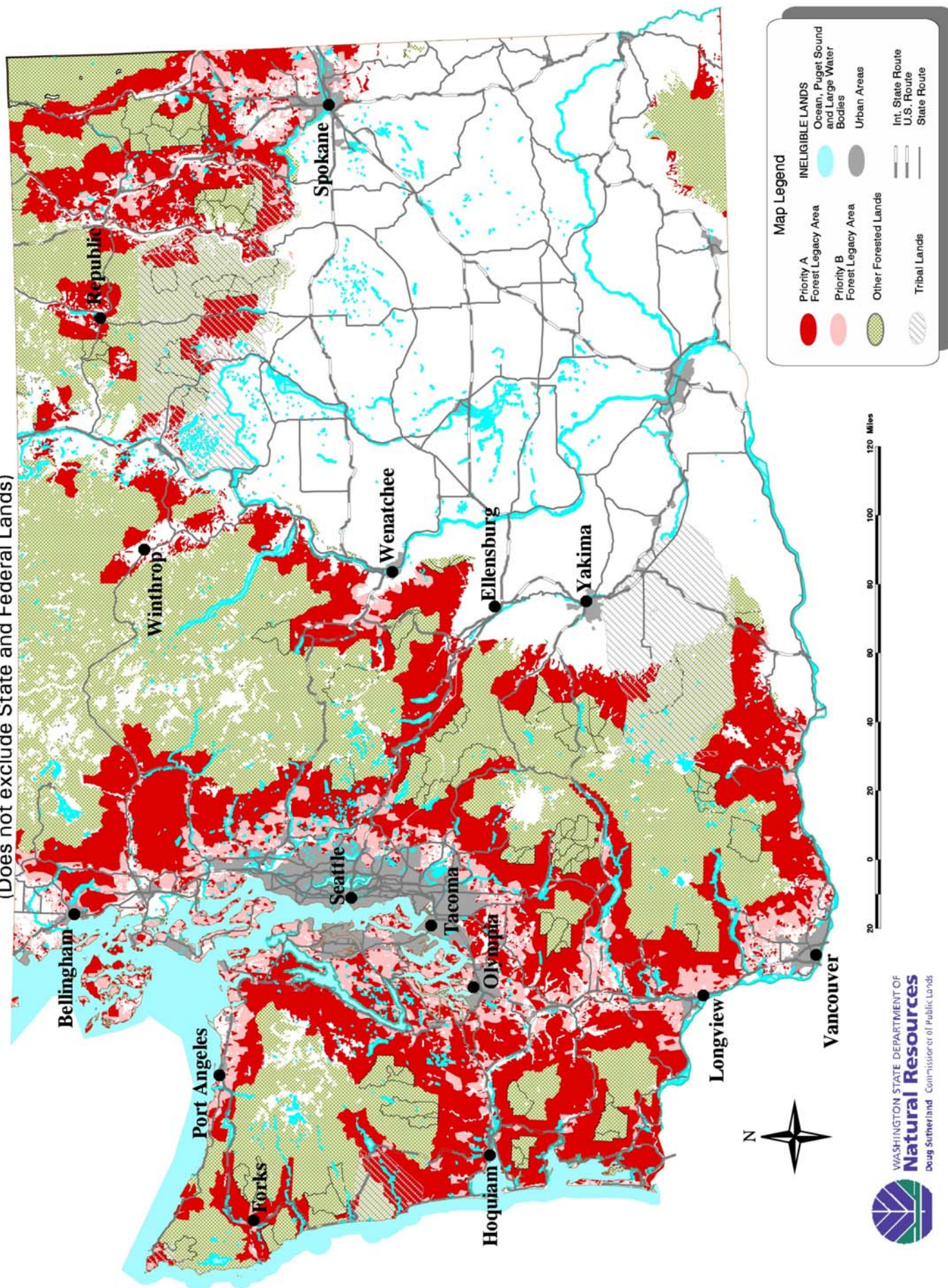
Reading the Map

On the accompanying FLA map, Figure 5.2, lands in **red** are the primary priority lands for acquisition (Priority A). These lands are dominated by Forest Resource Zoning, and are close to where people live. These are the forest transition lands most threatened by development.

Lands shown in **pink** contain at least one house per 40 acres and greater densities. These lands are dominated by Rural Residential Zoning, and are consider a secondary priority in the FLA (Priority B).

Figure 5.2 Forest Legacy Area Map

Forest Legacy Area and Other Forested Lands (Does not exclude State and Federal Lands)



Parcel evaluation criteria

Parcel evaluation criteria are the key to the ranking phase of the parcel evaluation and prioritization process.

The criteria Washington has selected are based on the federal program guidelines and on the goals and objectives of the Washington Forest Legacy Program. The criteria provide a means to compare proposed parcels that qualify for the program and to rank them by priority for inclusion in the program.

Priority A and Priority B parcels (as identified in the FLA) are ranked separately, but using the same criteria. The list that the Technical Evaluation Committee prepares will identify rank and priority level (A or B) and will rank all Priority A projects ahead of Priority B projects.

The Forest Stewardship Committee or State Forester may revise the ranking in their reviews.

Ranking Parcels

The parcel evaluation criteria are weighted to give top priority to forest parcels that are threatened by conversion to non-forest uses; protect working forests, water quality, fish and wildlife habitat; and best contribute to connective landscapes.

The following chart (Figure 5.3) shows the evaluation criteria categories (based on the goals or guidelines), specific criteria in each category, and the relative weight or value of the category in the evaluation process. The weight of each category is shown as "Max. Value" — the percentage of total possible evaluation points (100%) that are assigned to that category. "Readiness" and "Other Important Values" are intended to further prioritize parcels that are not separated by the higher weighted criteria.

Priority A parcels that score less than 14 percent in the "Threat of Conversion" category will be re-categorized as Priority B parcels and will be ranked with other Priority B parcels.

Specific scoring values are meant to follow the percentage values shown in Figure 5.3 as a guide, but must be flexible for adjustment of goals in the national parcel ranking process (federal process). Because state and federal goals are intertwined, these ranking values are documented as a guide for implementation of the parcel evaluation and prioritization process. The scoring values noted in this document cannot change unless recommended by the Washington State Forest Stewardship Committee to the State Forester.

A copy of the Parcel Evaluation Worksheet can be found in Appendix E.

Fig. 5.3 Parcel Evaluation Criteria and Relative Value by Category

| Max. Value | Criteria Category | Specific Evaluation Criteria |
|------------|--|--|
| 24% | Threat of Conversion | <ul style="list-style-type: none"> ■ Stops development (parcel removes an in-holding or blocks critical access) ■ Hinders development (parcel buffers unprotected forest lands) ■ Imminently threatened by conversion (See definition; parcel will be converted within 5 years) ■ High potential for development due to property characteristics (parcel has characteristics that make it desirable for present or future development including favorable terrain, soils, proximity to utilities, roads and amenities such as scenic views and waterfront) |
| 16% | Working Forest | <ul style="list-style-type: none"> ■ Parcel is currently managed as working forest ■ Part of large, 1000 acres or greater, (existing) contiguous block of working forestland ■ Parcel is made up of tax lots not less than 80 acres in size ■ Landowner is willing to fix parcel lot size at not less than 160 acres in size ■ Landowner is willing to reduce the number of tax lots on the property |
| 13% | Water Quality | <ul style="list-style-type: none"> ■ Riparian area (parcel has over 500' of shoreline) ■ Substantially provides clean water for wildlife ■ Contributes to a regional drinking water aquifer (parcel provides recharge for an aquifer or lies within a mile of a public water supply lake or drains into such a lake) ■ Water quality (parcel is located in a priority watershed listed by the Department of Ecology) |
| 13% | Fish and Wildlife | <ul style="list-style-type: none"> ■ Fish and wildlife (parcel provides a diverse mix of fish and wildlife habitats) ■ Threatened or endangered species (parcel supports state or federally listed species, communities or associations) ■ Acquisition supports current or future opportunities to provide habitat for recovery of ESA species (HCP, in management plan, Links Protected Habitat to Working Forest Landscapes) ■ Includes ecological communities that are dwindling or uncommon as listed in a state or federal plan. (Example: State Natural Heritage Plan) |
| 13% | Protection of Existing Landscapes – Leveraged – Discourage Fragmentation | <ul style="list-style-type: none"> ■ Property is adjacent to similarly protected forest lands (local government, state, federal, private, non-profit) ■ Protects a vulnerable in-holding in a forest landscape ■ Legacy parcel is only part of a larger leveraged project or proposal ■ Designated or identified in a statewide plan or is part of an initiative having local significance |

| Max. Value | Criteria Category | Specific Evaluation Criteria |
|------------|------------------------|---|
| 10% | Readiness –Cost Share | <ul style="list-style-type: none"> ■ Option to purchase signed by the parties ■ Forest Stewardship Plan and Due Diligence started ■ Forest Stewardship Plan and Due Diligence completed ■ Leverage commitment from applicant and/or demonstrated willingness to cost share ■ Demonstrated ability to monitor, administer and enforce the program over time (landowner agrees to provide funds) ■ Evidence of timely use of federal funds (funds can be spent within the grant cycle or within one year of obligating grant) |
| 9% | Other Important Values | <ul style="list-style-type: none"> ■ Public recreation (parcel provides access for public use) ■ Has frontage on a designated Scenic Route or is part of an important view shed ■ Cultural or Historic Interest (parcel contains sites listed on federal or state database) |
| 3% | Easements | <ul style="list-style-type: none"> ■ Favor conservation easements over fee interest acquisition. |
| | Additional Factors | <p>These factors should only be used to break ties or close calls encountered in the Parcel Evaluation Process:</p> <ul style="list-style-type: none"> ■ Favor parcels that better support state fire prevention goals ■ Favor a previously funded project ■ Favor lower cost per acre projects |

Definitions

Threatened by conversion to non-forest use

Forest lands in transition to rural residential use.

75 percent forested

Forest cover is at least 75 percent. Non-forest area does not exceed 25 percent (E.g., rock outcroppings, bare land not supporting native forest stands, human-made disturbance, agricultural land.). County and forest management roads count as forested land.

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